

# JOURNAL OF THE SENATE

THURSDAY, APRIL 25, 1929

The Senate convened at 11 o'clock a. m., pursuant to adjournment on Wednesday, April 24, 1929.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adams, Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 24, 1929, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Whitaker, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Judiciary "A", to whom was referred:

Senate Bill No. 165:

A bill to be entitled An Act to regulate plumbing or house drainage and the installation thereof in the State of Florida; to provide for the examination and registration of persons engaging in the business or work of plumbing or house drainage and for the supervision and inspection of plumbing or house drainage in this State; to create a Board of plumbing examiners and to prescribe its duties and powers and to provide for the maintenance of said Board and the expense of conducting its business, from fees to be collected for registration certificates and inspection fees and additional sources when necessary and to provide for penalties for the violation of the provisions of this Act.

Have had the same under consideration, and recommend that the same, with amendments thereto, do pass.

Amendment No. 1. Section 8, line next to last. Strike out word "additional" and insert in lieu thereof "other".

Amendment No. 2. Page 7, Section 5, line 5. After word "law" insert the following: "or shall produce satisfactory evidence of having been engaged as either a master plumber or journeyman plumber for the period of three (3) years in the State of Florida next preceding the date upon which this Act becomes a law."

Very respectfully,

PAT WHITAKER,  
Chairman of Committee.

And Senate Bill No. 165, with proposed amendments, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Whitaker, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Judiciary "A", to whom was referred:

Senate Bill No. 216:

A bill to be entitled An Act to amend Section 103, Chapter 8993, Acts of 1921, Laws of Florida, relative to the tax sales and disposition of tax certificates issued by virtue of such sales.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

PAT WHITAKER,  
Chairman of Committee.

And Senate Bill No. 216, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Young, Chairman of the Committee on Drainage, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Drainage, to whom was referred:

Senate Bill No. 242:

A bill to be entitled An Act to authorize the Board of Commissioners of Everglades Drainage District to contribute not exceeding the sum of Five Thousand Dollars to any non-political non-profit organization which may be formed for the purpose of securing Federal Aid for flood control in connection with Lake Okeechobee.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

A. W. YOUNG,  
Chairman of Committee.

And Senate Bill No. 242, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Adams, Chairman of the Committee on Privileges and Elections, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 25, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Privileges and Elections, to whom was referred:

Senate Bill No. 39:

A bill to be entitled An Act to amend Section 347 Revised General Statutes of the State of Florida, 1920, and entitled: Person offering to vote may be challenged by any elector; oath of challenged person; determination of challenge.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

PURL G. ADAMS,  
Chairman of Committee.

And Senate Bill No. 39, contained in the above report, was placed on the table.

Senator Adams, Chairman of the Committee on Privileges and Elections, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 25, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Privileges and Elections, to whom was referred—

Senate Bill No. 166:

A bill to be entitled An Act providing for the appointment of members of the State, Congressional and County Executive Committees.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

PURL G. ADAMS,  
Chairman of Committee.

And Senate Bill No. 166, contained in the above report, was placed on the table.

Senator Adams, Chairman of the Committee on Privileges and Elections, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 25, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Privileges and Elections, to whom was referred—

Senate Bill No. 41:

A bill to be entitled An Act to amend Sections 299 and 300, Revised General Statutes of the State of Florida, relating to nominations in Primary Elections and Political Parties within the meaning of the Law, being Sections 355 and 356, Compiled General Laws of 1927.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

PURL G. ADAMS,  
Chairman of Committee.

And Senate Bill No. 41, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Adams, Chairman of the Committee on Privileges and Elections, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 25, 1929

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Privileges and Elections, to whom was referred—

Senate Bill No. 99:

A bill to be entitled An Act to authorize registration and voting by mail for citizens of the State of Florida, having their official residence in the District of Columbia, and employed in said District of Columbia in the office of Florida's representatives in the United States Senate and House of Representatives.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

PURL G. ADAMS,  
Chairman of Committee.

And Senate Bill No. 99, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Putnam, Chairman of the Committee on Agriculture and Live Stock, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 25, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Agriculture and Live Stock, to whom was referred—

Senate Bill No. 179:

A bill to be entitled An Act to authorize and direct the Florida Agricultural Experiment Station to investigate and conduct experiments concerning the disease known as Fusarium Wilt, and other insect and fungus diseases affecting watermelons, and making an appropriation for such purposes.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

H. G. PUTNAM,  
Chairman of Committee.

And Senate Bill No. 179, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Putnam, Chairman of the Committee on Agriculture and Live Stock, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1929

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Agriculture and Live Stock, to whom was referred—

Senate Bill No. 42:

A bill to be entitled An Act to amend Section 7280 of the Compiled General Laws of Florida of 1927, relating to the cutting off of ears or head of animals before same are dressed.

Have had the same under consideration and recommend that it do pass, with the following amendment thereto:

Strike out from and including the title of the Act down to and including the word "follows" in line 4 of Section 1 and insert in lieu thereof the following:

"A bill to be entitled An Act to amend Section 5177 of the Revised General Statutes of Florida (being Section 7280 of the Compiled General Laws of Florida 1927) relating to the cutting off of ears or head of animals before same are dressed.

"Be It Enacted By the Legislature of the State of Florida:

"Section 1. That Section 5177 of the Revised General Statutes of Florida (being Section 7280 of the Compiled General Laws of Florida 1927) relating to cutting off the ears or heads of animals before same are dressed, be and the same is hereby amended to read as follows:

"Section 5177. Cutting off ears or head of animals before same are dressed."

Very respectfully,

H. G. PUTNAM,  
Chairman of Committee.

And Senate Bill No. 42, contained in the above report, together with committee amendments, was placed on the Calendar of Bills on Second Reading.

Senator Howell, Chairman of the Committee on Pensions, submitted the following report.

Senate Chamber,  
Tallahassee, Fla., April 25th, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Pensions, to whom was referred—

Senate Bill No. 192:

A bill to be entitled An Act granting a pension to Mary Newsom of Otter Creek, Levy County, Florida, widow of John B. Newsom.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

L. H. HOWELL,  
Chairman of Committee.

And Senate Bill No. 192, contained in the above report, was placed on the table.

Senator Howell, Chairman of the Committee on Pensions, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 25th, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Pensions, to whom was referred—

Senate Bill No. 208:

A bill to be entitled An Act granting a pension to Emma Atkins of Cocoa, Brevard County, Florida, widow of M. Atkins.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

L. H. HOWELL,  
Chairman of Committee.

And Senate Bill No. 208, contained in the above report, was placed on the Calendar of Bills on second reading.

#### INTRODUCTION OF RESOLUTIONS

Senators Dell, Gary and Hodges offered the following Concurrent Resolution—

Senate Concurrent Resolution No. 13:

Memorial to Honorable Robert Fenwick Taylor.

WHEREAS, Early in the year 1928 the State of Florida suffered the loss of one of her most distinguished and useful citizens in the death of the Honorable Robert Fenwick Taylor, long a member of the Supreme Court of this State. It is therefore deemed most appropriate that the Legislature should record the appreciation felt by the people of Florida for the unusually valuable services rendered by that sterling citizen and jurist during his long life so earnestly devoted to the welfare of this State.

Judge Taylor was born in Beaufort District South Carolina, March 10, 1849, but at a very early age moved with his parents to Florida. He grew to manhood in Marion and Alachua Counties, chose the profession of law for his life work and entered upon its practice in the City of Gainesville. At the Bar Judge Taylor enjoyed great success, his bright mind, constant study, unflinching fairness and courtesy to competitors and zealous loyalty to the interests of clients soon establishing for him an enviable position as a successful practitioner.

Among the qualities that made Judge Taylor so distinguished in his services to the State and so much admired in his personal contacts, were mental strength, firmness, sincerity, thoroughness, liberality and modesty. His keen perception and foresight and his knowledge of the fundamental principles of government made him one of the leaders of the Constitutional Convention of 1885, when the present organic law of the State was formulated. On January 1, 1891, he was appointed a Justice of the Supreme Court of Florida by Governor Francis P. Fleming. He remained a member of the Court for more than 34 years, and was four times chosen Chief Justice. His judicial opinions are an imperishable monument to his ability, learning, research and patriotic devotion to sound principles of law and of government. On March

2, 1925, he voluntarily resigned from the Bench after serving longer than any other member in the history of the Court. In his death on February 26, 1928, the State lost one of its most honored and useful citizens whose memory is revered and whose public services are an inspiration.

IT IS THEREFORE RESOLVED by the Senate, the House of Representatives concurring, that this expression of appreciation of Judge Taylor's eminent services to the State of Florida be spread upon the permanent records of the Senate and of the House of Representatives.

Which was read the first time.

Senator Gary moved that the rules be waived and Senate Concurrent Resolution No. 13 be read a second time.

Which was agreed to by a two-thirds vote.

Senate Concurrent Resolution No. 13 was read a second time.

Senator Gary moved the adoption of the Resolution.

Which was agreed to and the Resolution was adopted.

Senator Watson offered the following Concurrent Resolution—Senate Concurrent Resolution No. 14:

WHEREAS, The Honorable Glenn Skipper, National Republican Committeeman of Florida, has rendered and is now rendering faithful and effective service to Florida, in his efforts to secure United States government aid in Flood Control of the waters in and around Lake Okeechobee, and

WHEREAS, the said Mr. Skipper has, in the interest of the Vegetable and Fruit Growers of Florida, repeatedly appeared before the United States Tariff Board at Washington, D. C., and before various committees of Congress, for the purpose of getting more and better protection for the Fruit and Vegetable Growers of this nation against cheap labor of Mexico, Central America and other Countries, therefore

BE IT RESOLVED, by the State Senate of Florida, the House of Representatives, concurring, that we express to Mr. Skipper, our appreciation of his efforts at Washington, in behalf of the citizens of Florida, and extend to him our most sincere thanks.

RESOLVED FURTHER, that the Secretary of the State of Florida be directed to send a copy of these resolutions to the President of the United States, the President of the United States Senate, the Speaker of the National House of Representatives and to Mr. Skipper, properly signed by the President of the Senate and the Speaker of the House of Representatives.

Which was read the first time in full.

Senator Watson moved that the rules be waived and Senate Concurrent Resolution No. 14 be read a second time in full.

Which was agreed to by a two-thirds vote and Senate Concurrent Resolution No. 14 was read a second time in full.

Senator Phillips offered the following amendment to Senate Concurrent Resolution No. 14:

Strike out the words Glenn Skipper, National Republican Committeeman of Florida.

And insert in lieu thereof the following: Doyle E. Carlton, Governor of the State of Florida.

Mr. Phillips moved the adoption of the amendment.

Mr. Taylor moved that the amendment be laid on the table.

Upon which a roll call was demanded and the vote was:

Yeas—Mr. President, Senators Adams, Bell, Dell, Futch, Gary, Glynn, Harrison, Hinely, Howell, Irby, Johns, Knabb, McCall, Mitchell, Neel, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Watson, Waybright, Welsh, Young—29.

Nays—Senators Anderson, Caro, Council, Hodges, King, Phillips, Wagg, Whitaker—8.

So the amendment was laid on the table.

Senator Wagg offered the following amendment to Senate Concurrent Resolution No. 14:

After the words "Glenn Skipper" wherever they shall appear in the bill and insert the following: "Governor Doyle E. Carlton and those other men and organizations who have by their interests and efforts advanced the Cause of Flood Control in Florida."

Senator Wagg moved the adoption of the amendment.

Senator Whitaker moved that the Resolution and pending amendment be laid on the table.

Upon which a roll call was demanded and the vote was:

Yeas—Senators Anderson, Caro, Dell, Hodges, King, Malone, Phillips, Turnbull, Wagg, Whitaker—10.

Nays—Mr. President: Senators Adams, Bell, Council, Futch, Gary, Glynn, Harrison, Hinely, Howell, Irby, Johns, Knabb, McCall, Mitchell, Neel, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turner, Watson, Waybright, Welsh, Young—28.

So the motion did not prevail.

The question then recurred upon the motion of Mr. Wagg to adopt the amendment.

Mr. Stewart moved to lay the amendment on the table.

Which was agreed to and the amendment was laid on the table.

Mr. Watson moved the adoption of the Concurrent Resolution.

Mr. Wagg called a point of order on the consideration of Senate Bill No. 58 which was a special order for consideration at 12:00 o'clock noon.

Mr. Watson moved that the time be extended five minutes before taking up the consideration of Senate Bill No. 58.

Which was agreed to by a two-thirds vote and so ordered.

Upon the adoption of Resolution a ye and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Adams, Bell, Council, Futch, Gary, Glynn, Harrison, Hinely, Howell, Irby, Johns, Knabb, McCall, Mitchell, Neel, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turner, Watson, Waybright, Welsh, Young—27.

Nays—Mr. President, Senators Anderson, Caro, Dell, Hodges, King, Malone, Phillips, Turnbull, Wagg, Whitaker—11.

So the Resolution was adopted.

And the same was ordered to be certified to the House of Representatives under the rule.

Senator Hodges moved that the consideration of Senate Bill No. 58, which was a special order for consideration at 12:00 o'clock noon, be temporarily passed over and made a continuing special order for consideration on Friday, April 26, at 12:00 o'clock noon. Which was not agreed to.

And—

Senate Bill No. 58:

A bill to be entitled An Act to provide compensation for employees for disability or death from injury arising out of and in the course of employment, and for other purposes.

Was then taken up in its special order.

Pending the second reading of the bill, Mr. Anderson moved that the time of adjournment be extended to such time as may be necessary to complete the consideration of Senate Bill No. 58.

Pending the consideration of the motion made by Mr. Anderson, a point of order was called and the hour of adjournment, under the rule, having arrived, the point of order was sustained, whereupon, the Senate stood adjourned at 1:00 o'clock p. m., until 11:00 o'clock a. m., Friday, April 26, 1929.